

REMARKS

I. Introduction

The Office Action mailed June 19, 2009 has been received and reviewed. By way of response, Applicants have cancelled previous claims 28, 30 and 31. New independent claim 48 has been added for consideration. All claims now depend either directly or indirectly from new independent claim 48. Claim 32 has been amended for appropriate reference back, with respect to language now found in claim 48. Also, claim 33, 34 and 42 have also been amended for appropriate reference back to claim language found in other claims.

The requested amendments are discussed in detail below, along with a discussion of the art.

II. The Office Action

The Examiner rejected previously pending claims 28, 30 and 31 as anticipated by WO 97/40917, Gillingham et al. The attention was focused on the disclosure at page 9, lines 26-31, of WO 97/40917.

It is noted that claim 29 was rejected under §103(a) as unpatentable over WO 97/40917 in view of U.S. 6,743,317 (Wydeven).

Claims 32-43 were rejected under §103(a) as unpatentable over the previous two identified references, in view of Gieseke et al. 6,610,117.

No claim was indicated as having patentable subject matter.

The central issue relates to the disclosure in WO 97/40917, appearing at page 9, lines 26-31. Here there is a reference that with respect to the methods discussed in WO 97/40917, some variables in the context of that disclosure are characterized as possible including: winding around a central mandrel that can be left or be removed; winding around non-round center winding member; and, compressing prior to scaling material hardening, for shaping.

There is no disclosure in WO 97/40917, of first coiling around a circular hub and then removing the coil and distorting it to a shape having two opposite rounded ends and two sides, whether those sides are straight or leave a somewhat elliptical outer shape. Further, there is no disclosure during this distorting of bringing the two sides toward one another, and providing a seal therebetween, as a central seal.

Rather, WO 97/40917 provides for the possibility of coiling either circular or non-circular, leaving the hub in or taking it out, and engaging in some level of distortion after the coiling occurs. Such a level of distortion, for example, in the overall context of WO 97/40917, would be minor distortions to affect overall shape geometry. There is no specific description of a substantial distortion that completely changes a first circular shape into a second, oval, shape.

Current claim 48 has been amended to emphasize changing the shape of the cartridge from circular, to an oval-like shape having two rounded ends and two sides. The sides can be straight, as indicated by dependent claim 32. Claim 48 references bringing the sides toward one another, and provide seal material between them, to provide a center seal.

It will be now recognized that the current independent claim readily distinguishes WO 97/40917, and any implications thereof. Also, since the remaining claims depend either directly or indirectly from claim 48, the other art cited by the Examiner is avoided as well.

The Examiner is invited to contact Applicants Representatives, at the below listed telephone number, if there are any questions or concerns regarding this communication.

Respectfully submitted,

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